G.R.S.211 1905

GENERAL AND REVENUE SECRETARIAT.

(Sep. Rev.

NOTES.

File No. 28-03

FILE HEADING.

In andam claim to the loddy revenue of the Kulghatta or Kumgalghatta Jodi Village Honnali Taluk. Shimoga Dist

From

The Exam Comr

No. 965/30 Dated the 27th July 1903 Received

Diary No.	Enclos.	Spare Copies.	Serial No.
			/

BRIEF ABSTRACT OF LETTER.

Submits the record of enquiry on the above claim & states that he concurs with the Inam Exam & the Dy Comr in their finding that the inamdars are entitled to the 4 ane revenue from loddy which has been conceded to them by the Inam settlement

NOTES AND ORDERS.

2 To the Exam Comr no 457. & the 9th Dec 1903 Requests to be furnished with a copy of the Inam register of enquiry relating to the village referred to

2 From the Exam Comr no 6452-244. & 29/1/1904 forwards copy of the register called for

Notes—First sheet.

MGCPB—30,000—17-2-05.

S.I.C 28.03

OFFICE OF THE DEWAN OF MYSORE,
REVENUE AND GENERAL DEPARTMENT.

(Full Office Note.

1. No. and date of latest letter or paper.
2. Catch words to show nature of subject
3. Subject to be in red and body of note in black in...

Subject from
The Excise Commissioners letter
No 965-30 dt 27th July 1903 submitting with his
opinion the record of enquiry relative
to the Toddy Revenue of Pulpholla or Kunne
pulphalla Inam village in the Hosmali
Taluk.

Note.

The Inam Register not having
been submitted with the above,
it was called for in the office No.
451/S.F.14-01 dt 9/9/1903 and Pulpholla
received.

The following are the facts dis-
closed by the records.

(1) The Inam is an ancient one
granted so far back as 1254 A.D.
by Veera Baccaraya and con-
firmed by subsequent rulers
of the country. Authenticated
copies of those inscriptions and
grants referring to the grant of
the

Statement of case in narrative form in regular sequence of subject matter or date.
Opinions to be stated only as supported by precedents, or general rules which should always be quoted.
Serial numbers in file, &c., to be always stated.
Dates of important documents referred to should be given.
Write on both sides, leaving the same side as margin.

V

the Inam were produced at the Inam Settlement of Hos- conducted in 1869
-ery in none of these the Exm
Revenue of the village seems to
have been conceded to the
Inamdars; but they have
no doubt long enjoyed the
same.

2) The first mention ~~of the Right to the Revenue Sources~~ ~~to the~~ Inamdars in any authentic official document of the Evidence to the Inamdars of the right to this revenue is in a Huzrat Order, No 409 of Shemoga 31/8/1836. Flag B
issued by Mr. Stokes, the Superintendent of the Nagar Divn, to Amildar Sreenivasa Row of Hosmalli; which states "As ~~approved by the Commission~~, the Inamdars have long been enjoying the Excise Revenue, it has to be continued to them. This order was ~~been~~ mentioned by the Inam

Asst. Supt of

Mr Stuart

X Superintendent on a perusal
of the papers to his opinion and
recommendation regarding
the Inamdar's claim. (Vide
col. 19 of the Inam Register). But
the Inam Special Asstt
Mr B. Gopalrao, made the following observ-
ation in Col. 20 of the said
Register. That the Todar Arrack
(items of revenue) being a
special item of taxation
and worked under separate
Rules I think it is better to
avoid smuggling &c to take
it back from them and
compensate the Inamdars
if necessary.

Do col 21 (3) Upon this the Inam Commissi-
oner remarked on the 20th Nov 1866
as follows:—

"4. The Todar-ags do not seem
to have enjoyed any of the items
above referred to with the
last 10 years or more since they
were relinquished by the
Asstt.

Supdt. no compensation
need be granted. The village
may be confirmed on Com-
-buied Quit Rents as re-
- commended by the Assistant."
The order confirming the Inam,
however, makes no reference
whatever to the recommendation
of the Special Assistant
Nor does it make any function
regarding the Excise Revenue
of the village. It runs as follows:-
"Confirmed subject to a
quit rent of Rs. 603."

(4) Considering the remark
quoted above, it seems that
the Inam Commissioner agreed
to the recommendation made
by the Special Asst. Supdt.; but
viewing the brief order, it
is doubtful whether, had
he been disposed to take
away the Excise Revenue
from the Inamdar,
he

he would have been silent about it in his order. However, as regards the remark itself, its correctness appears to be very doubtful, as may be seen from a consideration of the facts noted below.

Memo. forwarded to the Secretary 13/3/88 Hay C.

Note 1. Some time after the Fall of the Burman the Burmans seem to have procured date-seeds from the Chittagong Country and sowed them in their own villages thus laying the foundation of their present revenue. Whether they were authorized to do so is not clear from the records. However they were since the growing revenue both from the sale of lands drawn from them prove and from the cultivation and sale of arrack. The cultivation and sale of arrack seems to have been introduced in 1860, consequent upon the introduction of the Panchak system but

but the toddy revenue was
left uninterfered with

Note 2. In 1860 upon the petition
of Contractor Ningunayaka,
claiming the right of sale of
arrack & toddy of the Kulyhalla
Aprahon, Govt. issued order
No 323 stating that the Inamdars
had the right to make
their own arrangements for
the sale of the said liquors
in their Inam & that the con-
tractor had no rights to
interfere with the Inamdars.

Note 3 On the 3rd Nov. 1860,
the Govt. revised order No.
78 fixing the price of toddy
that might be purchased
for the requirements of Govt.
Shops from the Inam villages
out of the Excess toddy left
after supplying the Inam Shops.

Note 4. Upon the Complaints
of the Inamdars in 1863 that
the Govt. toddy Contractors had

May 2. 1860.
May 8.

tapped the Imam trees without
their ~~leave~~ permission, an endorsement
was granted to them on the 20th
Nov. that the trees then belong
to them & that the Contractor
should behave towards them
as he used to do when the
Imam System was in force
Hole. 5 In 1864, again, on a
Complaint ~~made~~ similar to the
above against Contractor
Chemaya, the Amildar of
Nonnali issued order No 18
to the Shekdar of the Chapri.
asking him to enforce the
persons order and to ~~to~~ restrain
the Contractor not to interfere
with the Imam trees & on
the works of the Imamdars
Hole. 6 Lastly, a document
presented in 1865 which was
perused before the Deputy
Commission in 1874 by one
Idyan Sama Thumaya,
Pradhan of the Speaker, Idyan
Dsaya, shows that the
privilege

privilege of drawing and selling toddy (or Cocoanut Juice) in the Quan village was leased out by the Inamdars.

(5) From the above facts it will be seen that from 1836 upto 1860, the year in which the Panchayat system was introduced the Inamdars were quietly enjoying their Crore rights, when for the first time they were deprived of a portion of it viz that of distilling & selling arrack; that thereafter forward they have continuously enjoyed their Crore revenue from toddy with the cognizance of Government officers and that Government have repeatedly recognized & affirmed the existence of the rights of the Inamdars. From 1865 forwards the Inamdars

Note- There are [illegible] given by certain Inamdars who had taken the right of drawing & selling toddy in the Quan village paying the same on contract to the Government Contractor, Mahalingia in 1865.

Has I.A.C

Imaundars have produced accounts which prove undoubtedly that they have since been exercising the privilege. Hence it appears probable that the Imam Commissioner was misinformed regarding the enjoyments of the rights by the Imaundars.

Has A.

(6) Subsequently in 1894 when the Bench Commissioners of Shemoga investigated the claim of the Imaumars to the grass revenue from toddy, the Imam Supdt. was asked whether the Imaundars had the said rights. The doubt as to the Imam Commissioners intention in issuing the order of 1869 (in the Imam Settlement) was solved by Govt No 119, of 21/8/94 from the Imam Supdt. in which the existence of the right to the Imaundars is unmistakably affirmed. At the end of this investigation the Bench Commissioners found that the Imaundars had a right

to

to the grove, that is, Toddy
rental and not to both the
grove rental and Excise
Revenue. That is, the Dr
-puty Commissioner thought
that while the Inamdars
had the right to the trees,
they were not entitled to the
shop rents and the tree-tax.
With regard to the former,
it is submitted that he was
right, but as regard the latter
~~he~~ he seems to have been
wrong. He seems to have his
finding upon an order of the
Deputy Commr of Thana issued
in 1871, which appears to refer rather
to the issue of licenses for the keeping
of toddy shops than to the Excise Revenue
of the village. He both seems to have
refused in 1881-82 to issue a license to
the Inamdars to keep a shop in the
village. On this account the shop
seems not to have been kept-up to
1884-85 when it appears to have
been re-established by the Inamdars.
(7) Another authority upon which
he depends viz, order No 70 of the
9th July 1887 issued by

by the Deputy Commissioner of Shemoga & prefly states that as it was found from the regulers that the Inamdar had the Shendi Hak in the Kunijal Khatta village, it was decided that the Govt. Contractor should not interfere with the groves in that village with the order and the Inam subdivision No 119 already referred to before him. he could not, it is submitted, have arrived at the decision above quoted except by mistake of fact - It proceeds that he may have misunderstood the phrase Shendi Baburi Hodavu as referring only to the rights to the trees.

(8) In the 2nd investigation held in 1905, the investigating officer appears to have taken a correct view of the case and found that the Inamdars are entitled to the whole of the Spice Revenue from

Govt.

The finding has been sup-
ported both by the Deputy
Commissioner and the Com-
missioner.

The points ~~contained~~ noted
below are submitted for
consideration.

(1) During the years 98-99, 99-900
900-01, ~~the~~ the shop
at Kulgheda seems to have
drawn its supply not but from
the local grove & from date
lies outside the Inam village,
while the local grove contri-
buted only to shops outside
the village. It is not known
why, when there was duty on the local
grove trees the local shop, they
were not so made use of, but were
allowed to supply shops outside the
village. Such an arrangement seems
to have been considered fit & proper
to prevent without attracting the notice
of the Govt. officers ~~on~~ to the Inamdars
who himself the contract for the said
years. In 1901-02 the local grove suffered
both the local shop & the outside shop.
While the local shop derived a part
of its supply from outside also.
The case does not seem to have
been separately considered in the
rules. What items of the Excise revenue

Hay O.

however.
are to go to the Inamdars can be easily
taken by the combined application of rules
~~[illegible]~~ and 11

(2) Another point brought to light
in this case is that when there
are two shops now conducted
as in the case of Kunjal Khetla
& Ranogarodi, and there is
no account now of the
fraction of the income given
is to go to each village, the
investigating officer has
divided it roughly equally
between the villages this, it
is submitted, does not appear
to be fair. The Officer might
have
enquired and found out the
respective merit of the shops
i.e. what has been the value of
sale in each shop in the pre-
-vious years, and divided the
income accordingly. Or, he
might have applied the rules of proportion
of the Rules prescribed for the settlement of shares
mentioned in Rule 13, and divided
the income in proportion to
the population of the villages,
where the respective shops
are situated & defunte
rule

14

rule in this regard would, in my submitted facultate matter much

Submitted
M. 11.6.04

(9) The Excise Commissioner has in his letter stated that the Excise Revenue is chargeable to the Inamdars subject to Rules 2, 3, 5, 6, 9, 10, 11 & 12. This is not clear how rules 6, 10, 11 & 12 are applicable to this case.

Submitted
13/4/04 M.

(10) The sale of toddy shops (one sort of the other Inam) conducts were irregular as the rules prescribe separate sale of Inam & non Inam shops. Therefore unless I prescribe a rule for a proceeding I shall not be able to recover

(11) Things I do not agree with the Excise Com's opinion, the opinion of the post up a draft in this (& previous) cases, in accordance with the opinion of the Excise Com's after this is post up, I shall state my views in determining the Rent. Draft or redraft according to my views

13/4/04

11(a) Is there any evidence to show that the Inamdars were in the enjoyment of the excise revenue in toddy since 1873 when the management of the Sayer & Miscellaneous revenues in alienated villages was taken up by Govt? So far as I can see at present, the orders issued since 1873 are reconcilable with the supposition that the Inamdars were entitled to the revenue

V. R. Thyagarajan 30/4/04

(12) The statements of accounts of receipts of toddy revenue contained in the written statements of the Inamdars show that they have been enjoying the said revenue since 1873. Even if it is not possible to prove a direct enjoyment that the Excise Revenue was included in it it can be established only indirectly i.e. by inference

by means of the following-

Copy of order no 228 from the District Superintendent of Thanas, Major Bonsbrey, to the Amildar of Honnali, stating that it is not possible to place the contractor in possession of the Sendi trees & that it is the duty of the Contractor to take care that the Inamdars do not sell to outsiders the toddy remaining after consumption in the Inam; that the Inamdars do not lower the selling price of the toddy & that they do not increase the number of shops. Dated 3/7/72

(b.) Copy of order no 175 of the Amildar of Honnali to the Shekdar of Bhadrihalli Hobli containing the substance of order no 204, received from the District Supdt, stating that the Inamdars are entitled to the Shendi Gidd Saroli and can enjoy the same; that if they wish to lease out the right Dated 17/8/74

right, they can do so only to the Govt. Contractor & that if they desire to have a shop of their own each & sell toddy therein, they shall do so after obtaining a license for the purpose from Govt

(c.) Original order of Amildar of Honnali to Patel of Kunigalketta stating that order no 90 has been received from Dy. Commissioner abolishing on account of trouble to the existing renewal according to which the Inamdars were selling their own toddy under a license and ordering that the Inamdars should henceforth for a price give their toddy to the Govt. Contractor and not sell it to any body else, that if they do not wish to sell it to the Govt Contractor they might give the same for making letters over it and telling the Patel to inform the facts to the Inamdars & to the Govt. Contractor.

Dated 28/4/02

(d.) A registered document showing that in 1884 the Inamdars gave on contract to one Thyppe Saheb the right to draw & sell toddy

in their Inam upto the end of
March 1887

(e) Order No 70 issued by the Deputy-
Commr. Shimoga stating
that as it is ascertained from
the registers & records that the
Inamdar has the Kanda Hak,
it is ordered that the Contractor
shall not trespass on the Inam
Dar's right &c

Date 9/7/

(f) Documents on stamped paper
executed by Contractor Krishnappa
subletting his contract to one
Lingaja Timmaya to draw &
sell toddy in the shops of
Kumsi Jatte upto the end of
March 1892

(g) The depositions of certain Dyars
(recorded by the Deputy-Commr.
of Shimoga in 1894) who were
Contractors prior to 1884
shew that they obtained on
Contract the right of drawing
& selling toddy in the Inam
from the Inamdars.

(13) Besides the above, the following facts are submitted for reference in connection with the matter

(a) The remark of the Dewan Commissioner in the Dewan Register "foregoing was: no compensation need be granted" may perhaps find an explanation in what is stated in the 1st sentence of para 5 of G.O. No 369 Rev dt 8-10-73.

I don't agree: the Dewan Commissioner gives the reason himself — V.R.T.

(b) The management of the collection of Sayer & Abkari revenue in Inams was taken away from the Inamdars in 1873. As may be seen from the order issued in the case of Sekammanahalli Kanyampathi village, Govt. seems to have strictly enforced the rule that Inamdars shall not levy Excise duties or fees for the vend of toddy or keeping of shops. So, it seems rather hard on the Inamdars to ask them to produce evidence of the disposals of the revenue during those years.

But the Contractor was paying the Govt receipts which Inamdars as were entitled thereto — V.R.T.

(c) Para 6 of order No 1969-78 dt 2/10/79 says that the toddy contractors must have full liberty to decide when he would establish shops for the sale of toddy. So, if a shop in Government land is established by the Contractor, the Inamdar has no remedy against him & Contractor would not be held to have been negligent in enforcing his rights.

20,

5/ The Crown Commissioner's letter No 2901/137 of 28/9/97 to the Secretary to Govt in the Land & Rev. Deptt. brings to light several points worthy of consideration in deciding the claims of Inamdars. Some of these are noted in blue pencil in the accompanying copy of the Collector's orders touching upon the claims of Inamdars to Tanky Revenue.

Mr
4.5.04

14) If Govt disagreeing with the Executive Engr's calling for further information is put up, it will be

Sd/ 5/04

Sd/ 5/04

Subd to the Dewan through the 1st Cl Mr 25/5/04

14/5/04
27-5-04

With the Maharaja's Legislative Council papers will be sent to the Secretary's office before the Wednesday next
28/5/04

Before I pass over I would draw the attention of the Durbar Lords to the remarks in the Settlement Report, & to the list of 1882, the Docket of 1889 & the correspondence of 1891, and ~~[illegible]~~ ask him how the discrepancy could be reconciled. It is also a question whether the Deed contains any mention of the grant ~~[illegible]~~ of the Chenderiagh Or this point to be mentioned - the Durbar Lords will also be asked to obtain from the Jagirdars & submit for the perusal of Govt the original Sette Deed -

7/6/04

7/6/04
Please put up Draft
Recken
7/6/04

Draft put up

G.R.S. 12]

General and Revenue Secretariat.

S R P File No. 28 of 1903

Serial No.

2 To The Excise Comr. No 451/E dt 9.12.03
Requests Collectn's forwarding copy
of the Inam Register of enquiry

3 from The Excise Comr. No 6852/2464 dt 29/4/04
forwarding copy of the Inam Regr.
of enquiry called for.

4 To The Supdt of Inam Settlements
No 29/4 dt the 5th July 1904.
Invites reference to certain Communi-
cations & requests to be informed how
the Discrepancy observed therein could be
reconciled & whether the Title deed
granted to the Inamdars has any mention
of the Grant of Shenoi Inam

5 To The Excise Comr. No P 30 dt 5/7/04
Requests Collectn from the Inam-
dars & submit for the perusal of
Govt the original title deed relating
to the village in question.

10.6.04 Mr. Mitchell
Offg

(6) Letter no. 12 dt the 6th July 1904 from the Inam Supdt
submits his opinion ~~called for in this office vide~~ dt
~~16/6/04~~ that it is clear from the Inam Regr that
claim has not been allowed & that no confirmation
The Excise Comr is requested to forward the
original title deed relating to the village in
question so the letter may be kept in
suspense till a reply is received from

Excise Commr

Mysore Affairs

Mutt 21/7. / Munshi 21/7/05
Ex 21/7/05

1-7 From the Excise Comr in Mysore
No 7094-344-8 dtd 14/8/4/05
States that the original title deed
is not with any of the Inamdars

As per clause (3) of rule 18 the Inam
Settlement should be adduced to
which in the present case does not
because the clause —
In the absence of such a presumption
12 years enjoyment of the revenue
by the Inamdars ~~or tenants~~ as
contemplated in rule 19 is out
of the question
The only clause left in favor
of the Inamdars is the proviso
of rule 20 — which requires an
uninterrupted enjoyment of the
revenue by the inamdars for not
less than 50 years prior to 1892-93
i.e from 1842-43 And from the
Inam Regr of enquiry it is clear
that there was no such enjoyt
at any rate till 1868 —
The draft order in the file is corrected
accordingly & forwarded

I think it is
necessary that
I see both parties
before I decide

24981
1-5-05
Orders
V

Mutt 28/4/05

J.G.K
27.4.05

Kindly return the file to the 1st Commr
K.B.K. Hegde
29.4.1905

Serial No.

I have studied this case as carefully as I can, & in the result I find myself unable to agree to the course put up by the Secretariat & allowing this claim.

The Duan Appa was in favour of conceding the excise revenue from toddy on the strength of Mr Stokes' order of 31st August 1836. Relied upon by the Duandar & Gopala the Special App did not question the Duandar right but admitting it proposed to buy it up by a capn. - asking the Duandar in the shape of a reduction from the Quitrent The Duan Commissioner, for reasons not placed on record held that no compensation need be granted & as the Judicial Dept must seem to have enjoyed any of the items referred to (toddy and arrack) within the last 10 years or even since they were relinquished by the

NOTE.—Contn. sheet.

Serial No.

Superintendent (Mr Stokes) - Whatever foundation there might have been for the conclusion in regard to Arnaud, I do not think there was any in the case of Lodder as I shall presently show.

In 1882 the Imam Supt appointed a Sirdar or Village Arnaud whose duty it was to collect the Land Revenue from todays. The Village in question finds a place in that list. Some seven years afterwards ie in 1889, the Imam Supt sent the Dy Comr a docket showing what villages were entitled to the revenue above mentioned. In that docket Arnaud Village was omitted. On enquiry from with the Secretary there was no correspondence between the Dy Comr & the Imam Supt in the yr 1889. The Imam Supt then wrote &

NOTE.—Contn. sheet.

Serial No.

Land that the lease of 1882 was the more correct of the two papers & leave opened & and that the Jaedel of 1889 should be rejected accordingly - It was urged on behalf however that the Apt. Govt the Dy Comm & the present Govt who in reliance on the Quam Settlement communication of 1894, have held that the gross revenue from lotty was conceded to the Sultan at the Quam Settlement have all followed such an error in the assuming at the conclusion that as a matter of fact the Quam Settlement cleared reserved this item of revenue to Govt

On the strength therefore of the Quam Settlement the Sultans claim cannot possibly succeed. But the Rule of 2d August 1904 permit of special treatment being accorded in certain exceptional cases. ~~of the Land~~ - Vide Rule 20

NOTE—Contn. sheet

Serial No.

The question for consideration is whether the present case comes within the operation of Rule 20. I am clearly of opinion that it does. The uninterrupted enjoyment for a period of not less than fifty years ~~Years~~ ~~years~~ contemplated by the Rule does not necessarily the production or direct proof of enjoyment in each & every year of the fifty years claimed during the prescribed period. Satisfactory proof embracing the period as a whole is all that can reasonably be expected & insisted upon. The Division Bench order of 1836 in proof of uninterrupted enjoyment as well as of a right to future enjoyment. There was admittedly no controversy or trouble of any kind, & therefore no record official or otherwise until 1860 when the Municipality clearly recognized the Encroachment

MGCPB—50 000 - 17-2-05

G.R.S. 121

General and Revenue Secretariat.

File No. 28 of 1903

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Serial No.

27

Right to acknowledge her indebtedness last repayment till then. There was subsequently a similar recognition or acknowledgment first in 1863 and then in 1864. It is in evidence that in 1865 the Sultan leased the excise revenue to one Kedesh Dapaya as in previous years. There was again a long case cited for ~~Respondents that the same as that~~ the Respondents presumably that there was no dispute or difficulty of any kind requiring a resort official intervention. From the year 1884 to 1887 there was a written case from the Sultan to ~~the Resident~~ 1887. 1887 the Dy Comr recognized the Sultan's mark as a subsisting one. In 1890 again the Sultan granted a lease up to March 1892. The testimony of certain Residents examined in 1894 to establish

NOTE—Contn. sheet.

MGCPB—50,000—17-2-05

Serial No.

the Duandari Government. Mr Nanikal Roop ruling that all that the Duandari were entitled to were only the grove right as opposed to the large body of oral & documentary evidence to which reference has been made above. It is abundantly clear that there is overwhelming evidence in proof of the Duandari repayment not only before 1836 but also from that year upto 1894. This title was never seriously questioned during the long period. That being so it appears to me nothing but fair that notwithstanding the non-acceptance of the title by the Inam Settlement relief might be afforded to the Duandaris by Govt under the authority of Rule 20 above alluded to.

NOTE—Contn. sheet.

MGCPB—50,000—17-2-05

G.R.S. 12]

General and Revenue Secretariat.

Ee File No. 28 of 1903

Serial No.

I would accept his right to the Crore Revenue as substantiated by long enjoyment and pay him accordingly in accordance with the Queen's recommendation.

C Rama Rau
7/7/05.

It may be noted that the Zamindar (or rather the Revenue ~~Dar~~ person holding the zamin) does not seem to have given the resignation of the Zamin Register since there was no interference between him and his Amildar before he believed that his title was not in jeopardy.

C.S
25/7/05

I agree with Mr. Connor

An order in this term may issue

Draft recd

10.X.11.05

K. Venkatarowdoo

12.12.1905

NOTE.—Contn. sheet.

12.12.05

Serial No.

Submitted with a draft according to Secy
K.S. T. Satyanarayana Chetty 15-12-05.
14/12/05.
Approved
B. K. Venkata Varma
15-12-1905

15/12/05

8 To the Excise Commr
the Comptroller &
the Dy Comr Nuzvid &
No H 3775-7A & the 22nd Decr 05
Allows the claim sanctioned
as a special treatment under
rule 20 contained in G.O. no
2074-83-R4. 166-92 & the
2nd para of G.O. 1902 directs that
the payment will be regulated
by rules 2, 3, 5 & 6 and 9 to 12

No. 965/30 Excise Commissioner's Office
Encl and 2 files
Dated Bangalore 27th June 1903.

From

B. N. Ramaya Esqre B.A.
Excise Commissioner
in Mysore

To

(No 1)

M. V. Nanjundayya Esqre B.A. Bar. at. Law.
Secretary to the Government of
His Highness the Maharaja of Mysore
General and Revenue Departments.

Sir,

In submitting herewith the record of enquiry relative to the Inamdy Revenue of Kulgutta or Kumsakulgutta Inam village Honnali taluk together with a copy of letter No 2394/292 dated 29th May 1903 from the Deputy Commissioner Shimoga District I have the honor to state that I concur in the opinion of the investigating officer and the Deputy Commissioner that the inamdars are

Ef 63 of 30/7/10.

1903

From C. Basil Kay Esq. Bar-at-Law
Special Commissioner
in Mysore.

To N. V. Narayandasya Esq. Bar-at-Law.
Secretary to the Government of
His Highness the Maharaja of Mysore
General and Revenue Departments.

Dated 27th } July. 1903.
Despatched 27th }

Received

General No. 963
No. 30

Enclosure No 1 and 2 &c

Submits with reference
the record of enquiry relating
to the Taddy Revenue of
Kulgutta or Kunigalgatta
Inam village Nonnali
taluk.

Ef en
31.7.03

are entitled to Excise Revenue from Toddy. Which has been conceded to them by the Inam Settlement. There is both a toddy shop and a date grove in the village. Certain documents produced by them, prove their enjoyment of the Revenue. Accordingly Excise Revenue is payable to them subject to Rules 2, 3, 5, 6, 9, 10, 11 and 12 in Government Proceedings No 2014-83 / R-7 166-92 dated 2nd August 1901.

I have the honor to be,
Sir,
your most obedient servant

[illegible]
for Excise Commissioner
[illegible]

2

Enclosure to the above

Deputy Commissioner's office
Shimoga District
29th May 1903.

No. 2394/292 Ex: Record

From

K. P. Puttanna Chetty Esqure.
Deputy Commissioner
Shimoga District.

To

P. N. Kirmanja Esqure BA.
Excise Commissioner
in Mysore

Letter no 2394-292 dated 29th may 1903
SA

Adverting to your official memo-
-randum no: 2169-75/86, dated 24th Augus
1901 in re the settlement of Inamdars
rights to toddy Revenue in Inam village
I have the honour to forward the findings
and records in Connection
with the settlement of —
Kulgutta or Kunigalgutta
Inam village in —
Honnali Taluk.

*
1. Records of findings by
Mr C. S. Balasundrum Iyer
2. Records received with
no: 2169-75/86 dated
24th August 1901

(2)

(2) The records go to show that the Inamdars have the entire right for the Toddy Revenue of the village, the same being supported by the Inam settlement Register and Government records

3. The total amount payable to the Inamdar is given in the finding and no amount is advanced by the Government to the Inamdars on this account.

4. I Concur in the findings arrived at by the Assistant Commissioner on his enquiry as to the right for Toddy revenue.

5. The records show that there are 18 Inamdars. All of them except one Guru Raj Bhatt were personally served with notice of this enquiry; Only one out of them appeared before the enquiring officer, the absent parties were treated as exparte

(b) Guru Raj Bhatta whereabouts are not known

(Sd) K. P. Puttanna Chetty
Deputy Commissioner
Shimoga District.

Copy

for Excise Commissioner
Mysore

Enclosures to the above

Enquiry into the claim to Toddy Revenue made by the Inamdars of Kulagatta village, Honnali Taluk.

Finding

Kulagatta or Kunigalghatta village of the Honnali Taluk is a partly enfranchised Brahmadaya & devadaya joda Inam village

The Inamdars are 18 in number as per list furnished by Krishna bhatta one of them. Notices of this enquiry has been served upon all of them except one Gurunayabhatta, who could not be found though the notice was sent for service more than once. As the result of the enquiry is the affirmation of the claim to toddy revenue I do not think that he is prejudiced by the omission

Only Krishnabhatta was examined

A certified copy of an extract from the Inam settlement Register is enclosed as also copies of Correspondence between the Deputy Commissioner and the Inam Superintendent ending

vide the latter's yadi N- 119 of 21-8-94. From these it is clear that the Inamdars are entitled to the Excise revenue from Toddy - "ಸೋಡ ಮತ್ತು ಹೆಂಡ". I therefore hold that the Inamdars are entitled to the Excise revenue from Toddy.

There seems to be some dispute among the Inamdars as to whether all or only some of them are entitled to this item of revenue. This dispute seems to be based upon the division of shares and I think it is beyond the scope of the present enquiry. The matter seems to be one that should be decided by a competent civil Court.

So far as the present enquiry is concerned it is enough to state that the Excise Toddy revenue has been alienated by Government. The amount due to the Inamdars on this account from 1892-93 to 1901-1902 is shown below as calculated according to the rules laid down in Government Proc. N- 2074-83 / R-7-166-92 dated 2-8-1901

From the annual sale lists of Dale Toddy shops it appears that in 1895-96 & 1896-97 a shop in the Government-Village of Hanagavadi was sold conjointly with the shop in the Inam village of Kulagatta. The joint rental for those years amounts to 528 Rs and I think it reasonable to allot one half of it to each shop

From 1898-99 to 1901-02 some trees in Kulaghatta village seem to have been tapped for other shops than the one in the village and the Inamdars are not entitled to the tree-tax realized on such trees. The tree-rent seems to have been settled between the tappers and the owners of the trees. The local cess on all the items seems to have been recovered and credited to Government from time to time

I Farming system 92-93 to 96 97

		Shop Farm	Grove Farm
1892-93	—	180--	110--
1893-94	—	450--	600--
1894 95	—	156--	120--
1895-96	—	240--	252--
1896-97	—	288--	144--
		1314--	1,226--

In these two years Hanagavadi & Kulagatta shops have been sold lotwise.

Deduct- Grove Hanagavadi shop in 1895-96 & 96-97 — 264

	1,050	1,226--
Total shop & Grove farms.		2,276--

Deduct- Establishment- charges at- 6% — 136-8-11-52

rel- amount- payable to Inamdars — Rs. 2,139-7--

II Preliminary Free-tax System

97-98 Shop rent- 24

No Vices appear to have been taken for the shop Free tax — --

	24--
Deduct- Establishment- charges at- 6% —	1-7-$\frac{48}{100}$
rel- amount- payable	22-9--

III Tree tax system 98-99 to 1901

98-99	Shop rent-	60-0
99-00	— Do —	120-0-0
1900-01	Do	222-0-0
1901-02	Do	126-0-0
		528-0-0

Tree tax

98-99

And these Govt. trees

'60 trees tapped for this shop in Chemagiri Taluk. } 160-

No trees tapped in Kulagatta for this shop —

Do

99-1900

540 trees tapped for this shop in Chemagiri Taluk. } 540-0-0

No trees in Kulagatta tapped for this shop.

Do

1900-01

228 trees tapped for this shop in Chemagiri Taluk. } 228-0-0

No trees in Kulagatta tapped for this shop

Do

1901-02

150 trees in Honnali Taluk tapped for this shop } 150-0-0

110 trees tapped in Kulagatta village for this shop 110-

Total tree-tax 1188-

Note

If the above are Govt. trees tree rent this local cess payable to Govt. has to be deducted. See to all this when the detailed statement comes from the Dy. Comr. after final orders are passed by Govt. in this case

Sd/- Venkatraman(asst)

Total tree tax 1,188

Total stop rent & tree tax
from 1898-99 to 01-02 1,716

Deduct establishment
Charges at 6% 102 15-4-29

Net amount due to
Inamdars Rs 1,613 a-8

Total amount payable to Inamdars
from 1892-93 to 1901-1902.

I	2,139-7-0
II	22-9-0
III	1,613-a-8
Rs	3,775-a-8

It does not appear that any advances have been made to the Inamdars on account of Toddy Revenue The figures have been taken from the annual sale lists and accounts furnished by the Hosmale & Chenga Talukas as to number of trees tapped enclosed herewith

Sd/- S. Balasundaram Iyer
2nd Asstt Coll

Camp
Benavalli
20-5-1903

I concur in the finding of the 2nd Asstt Coll

Sd/- K. P. Puttanna chetty
Dy Coll

29-5-1903.

Calendar of a claim to ~~Land~~ Revenue enquired into by the 2nd Assistant Commissioner, Shimoga District, Shimoga.—

Number of the above	Name of Claimant	Name of Inamdar, Jodi, or Kayamgutha Vilage	Name of Inamdar, Jodidars and Kayamgutha dars	Documents &c. relied upon	Witnesses Examined.	Decision.	Amount of Inam awarded	Grounds of decision.
1	2	3	4	5	6.	7	8	9
1 Honnali.	1 Basavahalli Mobli.—	Kumgalpatta.	Krishna Bhatta and (7 others.—	A certified copy of an Extract from Inam Settlement register, No 10, dated 22.9.1882. ii Rules laid down in Govt. Resolution No. 2071-83 R.D. 166-92 dt. 2.8.1901 iii. Annual sale lists of Excise Accounts &c.—	Nil.—	The Inamdars are entitled to the Excise Revenue from Toddy.—	Rs. 3775-0-0 — 8	1 Original Inamdars under Inam Settlement.

20/5/03

S. Balasundaram
2nd Assistant Commissioner,
Shimoga District.

Mysore Government,
General & Revenue Secretariat.

Office Draft. (Docket)

From H. V. Nanjundayya Esqr
Secretary to Govt Genl & Rev. Depts
N. Pundarikaksha Esqr B.A.
To The Collector
in Mysore

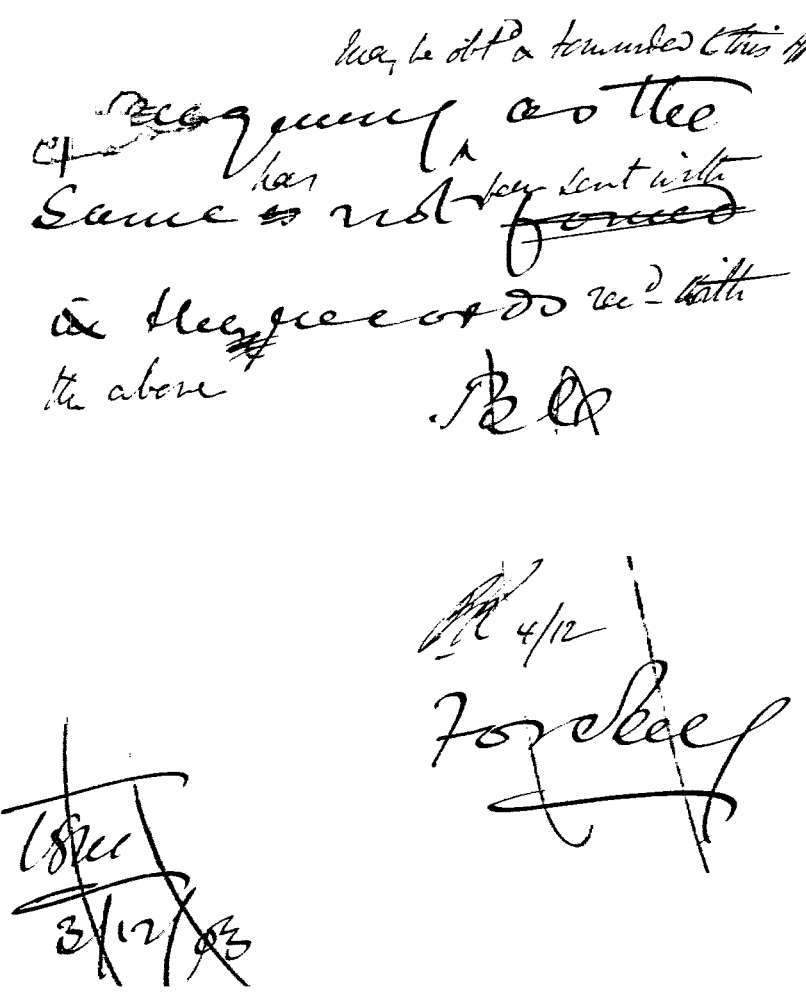
Docket No 451, 3 the 9th Decr 03

Date of passing the draft
Date of despatch 9/12/03

Regd. No. 451
File No. & date (if any) Rev 7/14 07

No. of Encls.

In returning
the 2 files of the records
records with the letter
No 965/30 of 27th Nov 1903,
relating to the Ramdas' claim to the
Coddy peruvue of
Kalgutta or Kurni-
gatta village
Hunsali Taluk, has
With ref to the above
the honor to request
that the records
may be transmitted
along with a copy
of the Peruvue Register



Excise Commissioners Office

No 6152 Exc I Register.
244

Bangalore, dated 29th January 1904
1st February

Inam

P. N. Purnanga Esquire B.A.

Excise Commissioner

in Mysore

H. V. Nanjundiah Esquire M.A. M.L.

Secretary to the Government of His

Highness the Maharajah of Mysore

General and Revenue Departments

8 no 3)

Letter No 6152-244 of the 29th January 1904

Sir

As called for in your No: 451
Exc: 714-01

dated 9th ultimo I have the honour to for-

-ward copy of the Inam Register of enquiry

relating to the village of Kulgatta or Kune-

galgatta Honnali taluk

I have the honour to be.

Sir,

Your Most Obedient Servant

For Excise Commissioner

in Mysore

E 4314 dt 2/2/04 3

1904

FROM P. N. Krishna Iyer Esqre B.A.
Excise Commissioner
in Mysore

To H. V. Nanjundiah Esqre
M.A.B.L.
Secretary to the Government of
Highness the Maharajah of Mys
General and Revenue Departm

Dated 29th January 1904.

Despatched 1st February 1904

Received

General No. 6152

No. 1244

Enclosure No. 1 Register

Forwards copy of the Arrack
Register of enquiry relating to
the village of Kulgatta or Ku
galgatta, Nonnali Taluk

E cut
2. 2 n

3
a.

Enclosure to the above

Extract from the Decree Register
of enquiry

Note Instructions to the Press

Only the portions
Register Sheet No 17 marked in pencil
to be
Falirk Municipality inserted with
Burgh Commissioners Steel marks
Village Kirkintilloch for the purpose
for portions

~~Note~~

Yours Obedt
Servant

Copy of the **Register of Inams in the Village of** Konegul Kuttay **in the**

CLASS, EXTENT AND VALUE OF INAM.

Number of case or entire holding under one grant in this village.	General class to which the Inam belongs.	Survey No. and name of field or fields comprised in the grant. Dry, wet or garden.	Extent.	
			Local measure. Even where the local measure is in acres, goontas, and annas, it is to be entered in this column.	Measure in acres and their fractions in decimals.
1	2	3	4	5

Ab per Inam Hard account of 1807.

6. Personal

Wet 11 Cood 2 Decrs = 1.12

Garden 4-Cood (wet-) 4 Decrs = .47

Dry 16 Cond: 2 Cood 4 7/8 Decrs = 213.30

214.89

Old Beirij addition in 1807 addition in 1856

Pymaishy account of 1806

Total 244 Cand: 15 Cood 4 Decrs = 3302.87

Sudarndars statement extent

Site 96 250 Sq Village Sqr Yards = 19.89

Jc Cranbrooke 48,34,900 Sqr Yards = 998.95

Cultivated 47,84,856 Sqr Yds = 988.61

Cultivable waste 811,815 Sqr Yds = 167.73

2175.18

Garden 72,725 Sqr Yds

Under ground water well = 14.90

Grand Total 2190.08

Deduct extent of Independent Inams. 10.56

2179.52

Sammat of Sanswaghally **in the Taluk of** Honhally

DESCRIPTION, TENURE AND			
Old assessment.	Survey assessment.	Description of Inam.	
Where no survey has been made and no assessment fixed by Government, the cess paid by the ryots to the inamdar, or the average assessment of similar Government land, should be entered in column 7.		If for service, it is to be stated whether the service is continued. If for tanks, buildings, &c., whether they are efficiently kept up. Hereditary or for life.	Whether free of tax, &c., or liable to quit rent, i. e., jodi, &c., amount of latter to be entered.
6	7	8	9

Bentz as per account of 1844:
698-12-1
190 — 11
1-14-8
890-11-8

As per account of 1856 - Vide Col: 11

For personal benefit

Old Jodi
561-12-10

Local fund
1867-8 - Rs. 2 P.
8.14 -

561-12-10
1-11-11
562-12-9

Average on Sheep tax Mohatarfa Rebt

Deduct assessment on Independent Inams

9-12-9
553-2 upwards

Bentz of 1844
890-11-8

Deduct assessment of Independent Inams Cases 1855 Nimms 3

26-4-9
864-6-11

Prospective improvements at 10 per cent with reference to available bunjur and the disparity between the extent Pymaishy & the Inamdars Rate

86-7-8

950-14-7 or
950 - adopted

18

DOCUMENT IN SUPPORT OF THE INAM.

By whom granted and in what year.	Written instruments in support of the claim, original sannad, all miscellaneous documents, and other proofs of long possession. In this column it should be stated whether the Inam is held with or without grant, whether the grant is produced or lost, &c., and the general specification of terms of all documents produced should be given.
10	11
Rand the grant-ed by Veera Bulla--Ia Raya	Copy of one Stone inscription (taken by Col Mackenzie) in 1204 A.D Copy of one inscription on Stone Confirming the Name from the Turki-=Kene Palligars 1566 A.D. One Sannad of Renewal from Kalavy Sivappa Naik of (unknown)

NAME AND RELATIONSHIP OF ORIGINAL GRANTEE AND

Name of original grantee	Name entered in the register prepared by Poorniah up to 1810.	Name entered in the accounts subsequent to 1810.
12	13	14
Krishna Kanta	Jarm account 1807 Kumgall Kuttay agraharam Virtties 20, Gobida Shastry 7 mahs. Aut-68 Pag Cutkar 3 Pag: 2 1/2 Jams Jodi 32 Pag: 33/4 Jams Jarm 32 Pag: 33/4 Jams	Jarm account 1832 Rame 15 mahs 120 Pag: 13 Pag: 7 Jams Jodi 55. 1850 Rame Krishna 17 mahs. 633-1-8 Jodi 570-10-1 Jarm 122-6-1
	James Jhadaty account as in Col 4. Pymasty account as in the same col:	Beery pmtty 1840. as in Col: 6 Chitta as 1820-68 Rame 890-4-8. Jam 561-12-11 Jarm 138-15-1

17

of the

OF SUBSEQUENT AND PRESENT HOLDER

Particulars regarding present owner. If the Inam has been subdivided, the name, &c., of each sharer should be entered in the columns.

Residence, name and age, &c.	Relation to original grantee or subsequent registered holders.	Surviving heirs of the present incumbent.	If unconnected with the original holders, possession how obtained, and in what year.
15	16	17	18
Koonigal Kuttaya 1. Bhaama Bhutt	from 1 to 7	3 Sons & 2 Cousins	Enjoy $\frac{5\frac{3}{3}}{320}$ or $3\frac{5}{16}$ Vruttis
2 Dodd Devamma, Bhutt - 20	Descendants		
3. Ramabhutt 70	of Grantee	2 Sons	$\frac{28}{320}$ or $1\frac{7}{16}$ V
4. Raghavendrabhatt			
5. Gooroorajabhutt 30 - 26			$\frac{15}{320}$ or $\frac{15}{16}$ V
6. Venkatakrishnabhatt, 48		1 united brother	$\frac{15}{320}$ or $\frac{15}{16}$ V
7. Kevucka widow 18		2 sons	$\frac{31}{640}$ or $\frac{31}{32}$ V
Male Issue			
8. Nagesha Bhutt - 40.			$\frac{31}{640}$ or $\frac{31}{32}$ V
9. Goodappabhatta - 20		2 Sons	
10. Koodlu in Shimoga Hurry bhutt - 34	alienees		$\frac{11}{160}$ or $1\frac{3}{5}$ V $\frac{11}{160}$ or $1\frac{3}{5}$ $\frac{3}{80}$ or $\frac{3}{4}$ V
Ronne Taluk. Koopsagnoor			
10 Atchamma widow - 50			$\frac{1}{20}$ or 1 V
Busvapatna in Channigiry Taluk.			
11 Totteda Nilagar Linga = bhatt — 60			$\frac{1}{20}$ or 1 V
12 Ayanoor in Shimoga Ranganna widow 24			$\frac{1}{20}$ or 1 V
13 Navalay Nadoor in Channa = giri - Yogeendrachar 70 Shimoga		1 Son	$\frac{1}{20}$ or 1 V
15. Lukshmanabhutt 16. Hurryhur Bhut - 20 50			$\frac{1}{20}$ or 1 V
Coodly in Shimoga 17. Ramgeri Mutt Head present Portion			$\frac{1}{20}$ or 1 V.
(Divided)			$\frac{1}{20}$ or 1 V. The whole village is divided into 20 equal Vruttis & the above fractions are made with reference to present enjoyt

Subsequent alienations

1. Nadig Venkappa Koregatahalay - 57, 900 Sq Yds = 11.78, assd 4-0-3. Free
2. Siddalingappa Gungondadavar of Hasigay 6 fields = 62-480 Sq Yds = 12.50-0-7.15-1-do
3. Hurry bhutt 1 field (invisible.) 3 fields 61-440 Sq Yds (invisible)

(Col 19. Contd)

(Boundaries)

East - Boundary stone between this Village & Channanhally and also Nilavaguloo in Channacurry joined near the Tamarind tree the side of the Hill called Oddaamuthy near tree on the Kummy, bordering on the Village of Channanahally, on the Hill called Basapanahally

Black stone on the extremity of the field of Hill Banasantry Kola.

do. on the border of Madegowa Gowdy land stone on the border of Yelamanicca, work and other stones

West - Black stone to the left of the road from this Village to Hossahally

2 do on the Go... ...n green called Kollalahal

3 do on Killey Koppaloo

4 do to the left of the road leading to Lingarajahally

5 do near the wood apple tree to the right of the road going to Channacrahally.

South Red stone inscription near the jarra Koppa and stone bearing the impression of Kulloo snake near the Joda Bavana mara or double Eld tree.

North - Boundary Hills or Streams so called.

N.B. There is no boundary dispute between the last disputes were disposed of by Capt. of Valleys in Book Coomes No 364 of 1844
" 347 " 1844
" 244 " 1847

I presume that the area furnished by the Jedidars in their statement is within the Boundaries marked or specified in the above mentioned order of the Superintendent

Initialed / B. G. Ponnlinks

Saunders Statement of Revenue.

Years.	Land	Salt	Monterey	Arroyo	Sheep tax	Poll tax	Stamps	Total
1	2	3	4	5	6	7	8	9
1859	642 8				10 11 4		50	703 11 4
" 60	646 4						50	696 4 "
" 61.	657 4						50	701 4 "
" 62	656						50	706
" 63	665						50	715
" 64	671						50	721
" 65	675 8						50	725 8
" 66	650						50	700
" 67	645						50	695
" 68	638 8						50	688 8
						Grand total		7052 3 4
						Average		705 2 6

Received direct by Governor

Division.

LENGTH OF POSSESSION.

Abstract of the orders already issued by the Commissioner or the Superintendent of the Division on lapses regarding validity or excess of the Inam. Assistant's opinion and recommendation.	~~Review by the Special Assistant and confirmation by the Inam Commissioner.~~
19	20.

The grant seems to be of very ancient date, and there is no interference of the Sirkar in the internal management of the revenue of the Village, there being no Pahany. This is one of the Brahmanmains & the present settlement is accepted by the majority of parties in Col: 15

The present Jodi fixed permanently will include all sources of revenue present & prospective

To be confirmed, subject present Jodi

Vide Col 9. 553-2-1

8½ Inst Rent on adopted Valuation } 49-8-9

602½-10-3

~~or~~ Rs 603-

agreed to & partly Compulsory

(Signed) V. N. Narasimmiya

Asstt

15/4/69

The Superintendent Mr. Stokes gave an order No. 409 dated 31st August 1836, stating that the Toddy and arrack items should be continued to the Agraharadars.

(Initialed) V. N. Narasimmiya

Asstt

Review by the Special Asstt and Confirmation by the Inam Commr.

(Col. 20.)

18

The extent of this Village is shown according to three different accounts varying considerably from each other The first or the Jamabandi Jodi account always gives the reputed area and not what was obtained by actual measurement.

The second or the Cymroish of 1806 was prepared after actual measurement and is more reliable

The

Col: 20 Contd)

the 3rd or the area of the Village entered in the Mondars statement is less than what was recorded in the above account. In the absence of any opinion from the Assistant on this subject, I re-commend that the area, as furnished by the Mondars at present, may be adopted and it is hoped that they have not in a blindfold manner understated it to exhibit a low Rental and consequently to have the Village enfranchised on a low Quit rent.

The entries in Cols: 10 to 14 establish the antiquity and Validity of this Mondr as a Jodi Village, and it may be confirmed on a Contd Quit Rent of Rs. 603-0-0 ——

As this Village were originally granted in separate and distinct Vrittis, and as more than half number of Vrittidars exhibited in Col: 15 are said to be aliences, it is, I consider necessary that the Assistant should state in Col: 18, as to how they obtained their shares & from whom. On failure of proofs required in rule 9, the Government may come in for lapses and afterwards dispose of them in the manner best suited to their interests

In the same Column 18, under reference the Assistant has entered a remark to say that the whole Village is divided into 20 equal Vrittis, and that the fractions therein exhibited show the extent of each mans share in the Village. The total of these fractions do not come up to a unit, and it is therefore, clear that a correct statement of these shares should be obtained from the Assistants' Office. It is upon a correct return showing how the Village is at present enjoyed, we can allot the Quit rent upon the several shares transcription on the reissue of the Title-Deed. The shares of Jodi at present

present paid by the General shareholders should also be excluded.

Before concluding I beg to notice one more point for such orders as the Inam Commissioner may be pleased to pass

The C. S. Rly. remarks, the Assistant quoting the order of a late Superintendent of Nuggar Dams that H. Toddy and Arrack Rents of Raichur were also confirmed or given over to the Agrahardars. This being a special item of taxation, and worked under separate rules. I think it is better to avoid Canvassing &c. to take it back from them and Compensate the Inamdars if necessary by a Reduction equal to the average valuation of the last 10 or 5 years which can be obtained from the Assistt Office. If the foregoing proposals are approved, I shall submit the figure for the Combined Unit Rent

In Communication with Mr. Narasimhagar

Initialed J. B. Gopalrao
4-8-69 Ag. Assistant

Vide the order of the Government of India in Revenue Dept. dated 9-3-1870

As the Jodidars do not seem to have enjoyed any of the items above referred to within the last 10 or 12 years since they were not specified in the Superintendent, no Compensation need be granted. The Village may be confirmed on Combined Unit Rent of Rs 603 as recommended by the Assistant

Confirmed subject to a quit rent of Rs 603

(Signed) H. Clerk
Comr.

Nov. 20-69

Inam Superintendents Office
Bangalore 22nd January 1904.

Compd

"Copy"
Supdt
Supdt of Inam Settlt
in Mysore

(4)

~~Office Draft (Docket.)~~

Mysore Government,
General & Revenue Secretariat.

From B. K. Venkata Varadaraya Iyengar
Secretary to Govt. General Revenue Secretariat

To Col. H. J. P. Grant
Superintendent of Inam Settlements
in Mysore

Date of passing the draft
Date of despatch

Docket No. 2 of the 5th Inst.
Regd. No.
File No. & date (if any) ~~44 of 1896~~
" 4 & 7 '06

No. of Encls.

Sl no 4

In connection with the claim for Sporne Revenue from Taddy pushforth by the Inamdars of Kumaralghatta village in the Shimoga Taluk, I have the honour to invite his attention to the marginally noted references and to request that he will be so good as to explain how the above agency observed there in connection recommended & to state whether in the Title-deeds granted to the Inamdars there is any mention of the grant of Shendi Hak.

By order
20/6/06
for Officer

(1) The remarks made in this regard in the Inam Settlement Register by the Inam Assistant, Sheristadar and Commissioner respectively

(2) The letter addressed the Inam Asstt's Yadi No 449 of 1882 to the Deputy-Commr. Shimoga.

(3) The Inam Asstt's Docket-No Inm 41 of 20.9.89 to the Deputy-Commr. Shimoga

(4) The Inam Asstt's Yadi No 119 of 21.8.96 to the Deputy-Commr. Shimoga.

20/6/06

(5)

~~Office Draft.~~ (Docket.)

Mysore Government,
General & Revenue Secretariat.

From B. K. Venkata Varadarajan Esq
To Secretary to Govt. Genl & Rev. Depts
P. N. Ramanujam Esq
The Excise Commr
at Mysore

Date of passing the draft
Date of despatch

serial no 5

Docket no 7630
~~Regd. No.~~
~~File No. & date (if any)~~ 4-4-'04
No. of Encls. 4/5-7-'04

His letter no 6152/24 dt 29/11/04, forwarding the Inam Register of enquiry relating to Kulgatta or Kunigallatta, Honnali Tk.

With reference to the above he has the honour to request that he will be so good as to obtain from the Tahsildars and submit for the perusal of Govt the original title deed relating to the village referred to above

4/12
Recd 22/12/04
for PS Secy

H.L. diary no: 232

(6)

1904

FROM

THE SUPERINTENDENT OF
INAM SETTLEMENTS IN MYSORE,
BANGALORE.

To

THE SECY. TO THE GOVT. OF MYSORE,
GEN. & REV. DEPT

Dated 19th
Despatched 20th July
Received

No. 12 of 1904

Enclosure No.

Stating that the decision in the Inam Reckle should be taken as final in regard to the claim of the Inamdar to the Fodder reserve in Kumgalgatta Village.

22

No. 12

Inam Suptts Office

From Col. J. P. Greer

Bangalore 19th July 1904

To B. Kavi Nagesa Rao Esq.

Asst Secretary to the Government

of Mysore

General and Revenue Department

Letter No. 12 of the 19th July 1904

In reply to your G.L. No. 29. dated the 15th Instant, I have the honor to state that the discrepancies noted by you in Connection with the claim for Excise Revenue for Toddy by the Inamdars of Kungalgatta Village are due to a mistake which occurred in preparing lists purporting to represent the decision of the Inam Superintendent.

The Inam Register must be regarded as decisive and from it, it is clear that, in the village in question, the Inamdar's claim to Toddy revenue has not been allowed nor is any compensation necessary.

I have the honor to be

Sir

Your Most Obedient Servant

J. P. Greer

Superintendent of

Inam Settlements

in Mysore

(7) 19434 1

Excise Commissioner's Office
in Mysore

No. 7074 / 21
344

Dated Bangalore 14th April 190

From, P. N. Purnaiya Esqre B.A.
The Excise Commissioner
in Mysore

To

B. K. Venkatavaradaa Iyengar Esquire.
Secretary to the Government of
His Highness the Maharaja of Mysor
General and Revenue Departments

Letter no 7094-344 dated 14th April 1908

Sir,

Adverting to your docket No. 30 R. Dis. 14-01 dated 5th July last calling for the original title deed relating to the Inam Village of Kulgatta, Honnali Taluk I have the honor to state that the Deputy Commissioner Shimoga in his No. 2105 dated 27th February 190 a copy of which is hereun enclosed, reports "that the original title deed is not with any of the Inamdars

I have the honor to be
Sir
Your most obedient servant

P. N. Purnaiya
for Excise Commissioner
in Mysore.

From

M. S. Narayana Rao Esquire
Deputy Commissioner
Shimoga District.

To,

P. N. Punnaya Esquire B. A
Excise Commissioner
in Mysore

Dated 27th February 1905

No. 2105

In reply to his official Memo No. 156/3 dated 6th July last requesting the submission of the original title deed reflating to the Inam village of Kulgatta for perusal of Government has the honor to state that the Amildar of Honnali Taluk who was written to on the subject reports that the original title deed is not with any of the Inamdars of Kulgatta village.

(Signed) M. S. Narain Rao.
Deputy Commissioner
Shimoga District.

"True Copy" K. G. Pallegar
for Excise Commissioner
Mysore

G.R.S. 28

File No. 28 03

Serial No. 8

Diary No. of letter replied to 4341

GENERAL AND REVENUE SECRETARIAT.
(Sch. Reg.)

, the 22-12-1905

Date of issue 24/01

Signed by W. Sampson Shelly

Serial 268

Proceedings of the Government of His Highness the Maharaja of Mysore.

To The Excise Comr
The Comptroller
& The Dy Comr Nundidrug Dist

No. R. 39795-7. Dated 22nd Dec 1905

READ.—Correspondence ending with letter No 7094-/344 dated the 14.4.1905 from the Excise Comr in Mysore, on the subject of his recommendation in concurrence with the findings of the Investigating Officer & the Deputy Comr, that the Inamdars renewed under the Inam Settlement, a title to the Kulgatta or Kuni Gallkatta Inam village in the Hoonali Hk-

over

ORDER THEREON—No.

SUBJECT

25

Order thereon. — No H 3975-7
Ex 2-14-01-8 (28-03) 22-12-05

The Inam is an ancient one having been granted so far back as 1204 A.D. by Vira Ballal Roya and confirmed by the subsequent Rulers of the Province. Authenticated copies of Stone inscriptions & Sanads referring to the grant of the Inam were produced at the Inam Settlement Conducted in 1861 In none of these however there any Specific mention of the Excise Revenue having been conceded to the Inamdars.

2) The first mention in any authentic document in of the Existence to the Inamdars of the right to the Excise Revenue is that made by Mr. Stokes, Subdt. of the Kasaragod Division, in a Quarterly

(2)

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GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

Order No 404 d. the 31 8 1836, Wherein he held that as the Inamdars had long been enjoying the Excise Revenue it should be continued to them. In his note of the 4th August 1869 Sir Shahaji Sh: Asst. Supdt. did not not only question the Inamdars title to the Excise Revenue but actually addressed it proposed in order to avoid Smuggling &c., to buy out the by compensating the Inamdar on the basis of a reduction from the gross rent. But on the question of the Inam Commr was of opinion, for reasons which have not been recorded that the Plaintiffs had not enjoyed any of the items of Toddy or Excise Revenue within the preceding 60 Years or such since they were relinquished by Mr St Kes— in 1836 and therefore there was no need for granting Compensation to the Inamdars for giving up their right to the Excise Revenue Thus it was that at the time of the Inam Settlement 1869 the Excise revenue from

toddy was ~~not~~ therefore conceded to the Inamdars at the Inam Settlement of 1869.

3). In 1882, the Inam Supdt: issued a list of the Inam villages the owners of which were entitled to the Excise Rev: from toddy according to the Inam settlement. The village in question found a place in that list. Some seven years later, i.e. in 1889, the Dy. Coll: received a communication from the Inam Supdt: showing the villages that were entitled to the Excise revenue ~~above mentioned~~. In that communication, however, the village under advertance was ~~omitted~~ not shown. In connection with this discrepancy there was a correspondence between the Dy Coll: & the Inam Supdt: in 1894, when the latter officer reported that the list of 1882 was ~~the more correct of the two papers referred to above~~ and that the mistake in the communication of 1889 should be rectified. ~~accordingly~~. Relying upon this communication, the investigating officer, the Dy. Coll: & the Excise Coll: ~~relying on the~~ ~~Inam Supdt's communication of 1894~~, hold that the Inamdars are entitled to the toddy revenue under the Inam settlement, though as a matter of

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GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet, draft form.*)

fact the Inam Settlement, for the reasons set forth in para 2 above, clearly reserved the item of revenue to Govt: 4) On the strength of the Inam settlement, the Inamdars' claim cannot possibly succeed: But under Rule 20 of the Rules appended to G.O. No. 2074-83/R.D. 166-92 dt. the 28. 1901, the present case deserves special treatment. Notwithstanding the absence of sanad or recognition of the right to the claim preferred by the Inamdars by the Inam Deptt, by reason of simple evidence will exist in proof of the the Inamdars having uninterrupted enjoyment of the tody revenue for a period of not less than 50 years from F. 1542-3, as pointed out below.

5) The Divisional Settlt's order of 1836 is proof of antecedent enjoyment as well as of a right to future enjoyment. There was apparently no controversy or trouble of any kind before no record, official or otherwise, until 1860, when the Inamdar clearly recognised the Inamdars' right & acknowledged his undisturbed past enjoyment till then. There

were subsequently similar recognitions and acknowledgements first in 1863 & then in 1864. It is in evidence that, in 1865, the Inamdars leased the Excise Revenue to one Edigar Dassappa as in previous years. There was again a large gap for the reason presumably that there was no dispute or difficulty of any kind requiring a resort to office intervention. For the period from 1884 to 1887 there was a written lease from the Inamdars. In 1887, the Govt. recognized the Inamdar's hak as a subsisting one. In 1890, the Inamdars granted a lease upto March 1892. The testimony of certain Edigars, examined in 1894, establishes the Inamdar's long enjoyment ~~of Inamdar Rao's finding that~~ all that ~~the~~ Inamdar was entitled to was only the above right is opposed to the large body of oral ~~documentary evidence referred to above.~~ ~~It is admirably clear that~~ There is ~~this~~ overwhelming evidence in proof of the Inamdar's enjoyment ~~not only previous to~~ Subsequent to 1836 but also ~~from~~ that year upto 1894. His title was never seriously questioned, much less finally negatived during this long period. He does not seem to have

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GENERAL AND REVENUE SECRETARIAT

(Continuation Sheet draft form.)

moved for the rectification of the Inam Register, apparently because there was no interference whatever with ~~his~~ their enjoyment & because ~~they~~ believed that their right was not in jeopardy.

6) In the foregoing circumstances ~~it appears to him only~~ it is only fair that, notwithstanding the non-cancellation of the title by the Inam Settlement relief ought to be afforded to the Inamdars under the authority of Rule 20 above alluded to. The Govt. of H.H. are therefore pleased to accept as recommended by the Excise Commissioner, the Inamdars right to the precise revenue as substantiated by long enjoyment subject to rules 2, 3, 5, 6 & 9 to 12, of the Rules appended to Govt: Proceedings No: 2074-83/R.J. 166-92 of the 2.8.07, ~~as recommended by the Excise Comr.~~

Secretariat.

Print

The Excise Comr. in Mysore returning the enclosures.

The Comptroller

The Dy. Comrs. of the Districts &c

K.S. 14/12/07.

15-12-07.

Note to Typist.
A copy of the finding of the Balasundaram Iyer should be retained.

Note to the Despatcher
The Calendar in the file of Vernacular papers should be retained.